

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES COMMODITY FUTURES
TRADING COMMISSION,

No. 09-2555 MMC

ORDER CLARIFYING DISMISSAL

Plaintiff,

v.

SNC ASSET MANAGEMENT, INC., et al.,

Defendants.

On June 16, 2011, the Clerk, in conformity with the Court's direction set forth in its order filed June 16, 2011, closed the above-titled case. The Court has been advised that counsel for plaintiff subsequently contacted the Clerk for clarification of the dismissal in light of the possibility that further proceedings may be necessary regarding the amount of restitution, disgorgement, and civil penalties.

By order filed May 13, 2011, the Court, upon consent of all parties that have appeared herein, ordered defendants SNC Asset Management, Inc., SNC Investments, Inc., and Peter Son to pay "restitution, disgorgement of ill-gotten gains, and civil monetary penalties pursuant to Section 6c of the Act, 7 U.S.C. § 13a-1," and ordered relief defendant Ann Lee to pay "disgorgement of ill-gotten gains." (See Consent Order, filed May 13, 2011, at 24:17-20.) Said order further provides that if the parties, within ninety days after

1 May 13, 2011, have not filed a stipulation stating that “restitution, civil monetary penalties,
2 and disgorgement have been satisfied or specifying the amount the parties agree is full
3 restitution, civil monetary penalties, and disgorgement,” the Court will “schedule a hearing
4 to determine the appropriate amounts.” (See id. at 24:22 - 25:1.)

5 The May 13, 2011 order explicitly provides that the Court “shall retain jurisdiction of
6 this action to implement and carry out the terms of all orders and decrees, including orders
7 setting the appropriate amounts of restitution and civil monetary penalty.” (See id. at
8 26:18-20.) Accordingly, the dismissal entered June 16, 2011 does not preclude the Court
9 from conducting any further proceedings that may become necessary with respect to
10 restitution, civil penalties, and/or disgorgement, or any other matter as to which the Court
11 has retained jurisdiction.

12 **IT IS SO ORDERED.**

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14 Dated: June 20, 2011

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16 MAXINE M. CHESNEY
17 United States District Judge
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